

**UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT**

BIG RIDGE, INC.,)	
)	
)	
Petitioner/Cross-Respondent,)	
)	
vs.)	Nos.15-1046, 15-1103
)	
NATIONAL LABOR RELATIONS BOARD,)	
)	
Respondent/Cross-Petitioner.)	
)	

**ANSWER TO CROSS-APPLICATION FOR ENFORCEMENT OF AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD**

Pursuant to Rule 15(b)(2) of the Federal Rules of Appellate Procedure, Petitioner/Cross-Respondent Big Ridge, Inc. hereby answers the Cross-Application for Enforcement of an Order of the National Labor Relations Board by denying that enforcement of the Order should be granted. Petitioner/Cross-Respondent denies that the Respondent/Cross-Petitioner had jurisdiction to enter the Order and further denies that Respondent/Cross-Petitioner is entitled to the relief of enforcement as requested therein, including the portion of the Order seeking to require Petitioner/Cross-Respondent to cease and desist from discharging employees because of their support for the United Mine Workers of America (“UMWA”), the portion of the Order seeking to require Petitioner/Cross-Respondent to reinstate Waller and to make him whole for any loss of earnings and other benefits, including compensating him for any adverse tax consequences of receiving a lump-sum back pay award, the portion of the Order seeking to require Petitioner/Cross-Respondent to remove from its files any reference to Waller’s discharge, the portion of the Order seeking to require Petitioner/Cross-Respondent to preserve and provide all records necessary to analyze the amount of back pay due under the terms of the Board’s

Order, and the portion of the Order seeking to require Petitioner/Cross-Respondent to post the “Notice to Employees” as designated in the Order.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of February, 2015, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF System, which will send notice of such filing to the following CM/ECF users:

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